

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO.</b>	<u>10-146</u>
<b>v.</b>	<b>:</b>	<b>DATE FILED:</b>	<u>                    </u>
<b>TARIQ MITCHELL</b>	<b>:</b>	<b>VIOLATIONS:</b>	
	<b>:</b>	<b>21 U.S.C. §841(a) (possession with intent</b>	
	<b>:</b>	<b>to distribute cocaine base ("crack") -</b>	
	<b>:</b>	<b>2 counts)</b>	
	<b>:</b>	<b>21 U.S.C. §841(a) (possession with intent</b>	
	<b>:</b>	<b>to distribute heroin - 2 counts)</b>	
	<b>:</b>	<b>18 U.S.C. §924(c) (possession of a firearm</b>	
	<b>:</b>	<b>in furtherance of a drug trafficking crime</b>	
	<b>:</b>	<b>- 2 counts)</b>	
		<b>Notice of forfeiture</b>	

**SUPERSEDING INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

On or about October 30, 2009, in Philadelphia, in the Eastern District of  
Pennsylvania, defendant

**TARIQ MITCHELL**

knowingly and intentionally possessed with intent to distribute a mixture and substance  
containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about October 30, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**TARIQ MITCHELL**

knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about October 30, 2009, in Philadelphia, in the Eastern District of  
Pennsylvania, defendant

**TARIQ MITCHELL**

knowingly possessed a firearm, that is:

- (1) a black Sears & Roebuck, Model Ted Williams M300, short-barreled 12 gauge shotgun, with the barrel sawed-off to a length of less than 18 inches and an overall length of less than 26 inches, serial number Q155725;
- (2) a black Sig Sauer, Model P229, .357 Sig caliber, semi-automatic pistol, serial number AE28461, loaded with 10 rounds of .357 Sig ammunition;
- (3) a silver Smith & Wesson, Model 5906, 9mm semi-automatic pistol, serial number TEY8524, loaded with 15 rounds of 9mm ammunition;
- (4) a silver Thames Arms Co. .32 caliber revolver, serial number 64653; and
- (5) a black Smith & Wesson .38 caliber revolver, serial number C239233,

in furtherance of a drug trafficking offense for which he may be prosecuted in a court of the United States, that is, possession with intent to distribute cocaine base ("crack") and possession with intent to distribute heroin, in violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 18, United States Code, Section 924(c)(1).

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about February 12, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**TARIQ MITCHELL**

knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

**COUNT FIVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about February 12, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**TARIQ MITCHELL**

knowingly and intentionally possessed with intent to distribute a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

**COUNT SIX**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about February 12, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**TARIQ MITCHELL**

knowingly possessed a firearm, that is, a .380 caliber Bersa Firestorm, serial number 568308, loaded with 8 live rounds of ammunition, in furtherance of a drug trafficking offense for which he may be prosecuted in a court of the United States, that is, possession with intent to distribute cocaine base ("crack") and possession with intent to distribute heroin, in violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 18, United States Code, Section 924(c)(1).

## **NOTICE OF FORFEITURE**

### **THE GRAND JURY FURTHER CHARGES THAT:**

As a result of the violations of Title 18, United States Code, Section 924(c), set forth in this superseding indictment, defendant

### **TARIQ MITCHELL**

shall forfeit to the United States of America, the firearms and ammunition involved in the commission of these offenses, including:

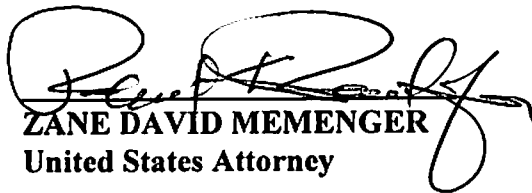
- (1) a black Sears & Roebuck, Model Ted Williams M300, short-barreled 12 gauge shotgun, with the barrel sawed-off to a length of less than 18 inches and an overall length of less than 26 inches, serial number Q155725;
- (2) a silver Smith & Wesson, Model 5906, 9mm semi-automatic pistol, serial number TEY8524, and 15 rounds of 9mm ammunition;
- (3) a silver Thames Arms Co. .32 caliber revolver, serial number 64653;
- (4) a black Smith & Wesson .38 caliber revolver, serial number C239233;
- (5) a black Sig Sauer, Model P229, .357 Sig caliber, semi-automatic pistol, serial number AE28461, and 10 rounds of .357 Sig ammunition; and
- (6) a .380 Bersa Firestorm, serial number 568308, loaded with 8 live rounds of ammunition.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18,  
United States Code, Section 924(d).

**A TRUE BILL:**

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**GRAND JURY FOREPERSON**



**ZANE DAVID MEMENGER**  
United States Attorney